

# Notice of Allowability

Application No.

09/681,760

Examiner

Ashok B. Patel

Applicant(s)

MCCULLOUGH, SEAN M.

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/13/2006.
2. ☒ The allowed claim(s) is/are 4-9, 13-28 (Total 22 claims).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 4-9 and 13-28 are allowed. Claims 1-3 and 10-12 are cancelled. Claims 23-28 are newly added.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ari G. Akmal on 12/05/2006.

3. The application has been amended as follows:

#### **A. In the specification:**

Please amend the paragraph appearing on page 1, as follows:

#### **Cross Reference to Related Applications**

This application claims priority under 35 U.S.C. § 119(e) to United States Patent Application No. 60/208,889 entitled "Method For Click-Stream Analysis Using Web Directory Reverse Categorization" by McCullough filed June 2, 2000, and United States Patent Application No. 60/208,890 entitled "Method For Continuous, Frame- Specific Click-Stream Recording" by McCullough June 2, 2000. This is also related to United States Patent Application No. 09/681, 758 (~~Attorney Docket VIGN1250-1~~), now U.S. Patent No. 7, 155, 506, entitled "Method For Continuous, Frame-Specific Click-Stream Recording" by McCullough filed of even date. All applications listed in this paragraph

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and are assigned to the current assignee hereof and are incorporated herein by reference.

**B. In the claims:**

- a. Cancel claims 1, 2, 10 and 11. Claims 3 and 12 have been previously cancelled.
- b. Add claims 26-28 as follows:

Claim 26. (New) A data processing system readable medium having code embodied therein, the code including instructions executable by a data processing system, wherein the instructions are configured to cause the data processing system to perform a method of profiling a user, the method comprising:

accessing first data including a first identifier associated with the user, network addresses accessed by the user, and temporal information related to the user identifier and the network addresses, wherein the first data is determined at a first location remote from the user;

accessing second data at a second location remote from the user and the network addresses, wherein accessing the second data further comprises sending at least some of the network addresses to the second location and receiving corresponding category information for each of the at least some network addresses, the corresponding category information including at least one meta tag;

generating a user profile based at least in part on the first identifier, corresponding category information, and at least some of the temporal

information by creating a table that includes a first column for user identifiers including the first identifier, a second column for the corresponding category information including at least one meta tag, and a third column for the at least some of the temporal information;

comparing data for the user within the table to existing profiles including a first profile; and

associating the user with the first profile.

Claim 27. (New) The data processing system readable medium of claim 26, wherein the at least one meta tag is included in code associated with at least one of the network addresses.

Claim 28. (New) The data processing system readable medium of claim 27, wherein the category information is sorted in chronological order.

- c. Claim 4, line 1, replace "1" with --23--.
- d. Claim 8, line 1, replace "1" with --23--.
- e. Claim 9, line 1, replace "1" with --23--.
- f. Claim 13, line 1, replace "10" with --26--.
- g. Claim 17, line 1, replace "10" with --26--.
- h. Claim 18, line 1, replace "10" with --26--.
- i. Claim 19, line 1, replace "2" with --23--.
- j. Claim 20, line 1, replace "2" with --23--.
- k. Claim 21, line 1, replace "11" with --26--.
- l. Claim 22, line 1, replace "11" with --26--.

### **REASONS FOR ALLOWANCE**

4. The following is an examiner's statement of reasons for allowance:

Applicant's arguments that neither Eisen, Legh-Smith, Alao or Parekh discloses are persuasive with respect to using the corresponding category information including at least one meta tag to generate the user profile wherein the method starts with accessing first data including a first identifier associated with the user, network addresses accessed by the user, and temporal information related to the user identifier and the network addresses, wherein the first data is determined at a first location remote from the user; and then accessing second data at a second location remote from the user and the network addresses, wherein accessing the second data further comprises sending at least some of the network addresses to the second location and receiving corresponding category information for each of the at least some network addresses, the corresponding category information including at least one meta tag; ending up finally in generating a user profile based at least in part on the first identifier, corresponding category information, and at least some of the temporal information by creating a table that includes a first column for user identifiers including the first identifier, a second column for the corresponding category information including at least one meta tag, and a third column for the at least some of the temporal information; None of the prior arts of record teach or suggest the claimed limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached o If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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